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 11 United States of America

12 UNITED STATES DISTRICT COURT
 13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 14 WESTERN DIVISION

15 UNITED STATES OF AMERICA,)	NO. SACV 06-904-AG (ANx)
)	
16 Plaintiff,)	
)	
17 v.)	CONSENT JUDGMENT OF FORFEITURE
)	
18 \$1,346,986.44 IN PROCEEDS FROM)	
19 WACHOVIA SECURITIES ACCOUNTS,)	
)	
20 Defendant.)	
)	
21 <hr/> EVERGREEN TRUST,)	
)	
22 Claimant.)	
)	
23 <hr/>)	

24 On September 26, 2006, plaintiff United States of America
 25 ("the United States of America") filed a Verified Complaint for
 26 Forfeiture alleging that the defendant \$1,346,986.44 in proceeds
 27 from Wachovia Securities accounts (the "defendant funds") is
 28 subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A) & (C).

1 On October 6, 2006, a First Amended Complaint was filed
2 alleging the defendant funds are subject to forfeiture pursuant
3 to 18 U.S.C. § 981(a)(1)(A) & (C).

4 Claimant Evergreen Trust ("claimant") filed a claim on or
5 about November 1, 2006. No Answer was filed by Evergreen Trust.
6 No other parties have appeared in this case and the time for
7 filing claims and answers has expired. Claimant is relieved of
8 his obligation to file any additional claims or answers.

9 Pursuant to paragraph 15.h. of the plea agreement in United
10 States v. Wilson, SACR 09-00097 DOC, defendant Blake Wilson
11 agreed to execute a written consent judgment of forfeiture in
12 this action. A copy of the plea agreement is attached hereto as
13 Exhibit "A."

14 The United States and claimant have now agreed to settle
15 this action and to avoid further litigation by entering into this
16 Judgment of Forfeiture.

17 The Court having been duly advised of and having considered
18 the matter, and based upon the mutual consent of the parties
19 hereto,

20 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

21 1. This Court has jurisdiction over the subject matter of
22 this action and the parties to this Partial Consent Judgment of
23 Forfeiture.

24 2. The Complaint for Forfeiture states a claim for relief
25 pursuant to 21 U.S.C. § 881(a)(6).

26 3. Notice of this action has been given as required by
27 law. No appearances have been made in this case by any person
28 other than claimant. The Court deems that all other potential

1 claimants admit the allegations of the Complaint for Forfeiture
2 to be true.

3 4. Claimant shall forfeit the following: \$1,205,515.71 in
4 bank funds (CATS ID # 08-IRS-00395); \$140,480.54 in bank funds
5 (CATS ID # 06-IRS-000492); \$980.48 in bank funds (CATS ID # 06-
6 IRS-00496); and \$9.80 in bank funds (CATS ID # 06-IRS-00496) to
7 the United States of America. The custodian of the defendants is
8 ordered to dispose of the funds forfeited to the United States
9 plus all interest earned in accordance with law.

10 5. Claimant hereby releases the United States of America,
11 its agencies, agents, officers, employees and representatives,
12 including, without limitation, all agents, officers, employees
13 and representatives of the Internal Revenue Service and the
14 Department of Justice and their respective agencies, as well as
15 all agents, officers, employees and representatives of any state
16 or local governmental or law enforcement agency involved in the
17 investigation or prosecution of this matter, from any and all
18 claims, actions, or liabilities arising out of or related to this
19 action, including, without limitation, any claim for attorney
20 fees, costs, and interest, which may be asserted by or on behalf
21 of claimant.

22 6. The Court finds that there was reasonable cause for the
23 seizure of the defendants and institution of these proceedings.
24 This judgment shall be construed as a certificate of reasonable
25 cause pursuant to 28 U.S.C. § 2465.


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1 7. The Court further finds that claimant did not
2 substantially prevail in this action, and each of the parties
3 hereto shall bear their own attorney fees and costs.

4 8. The Court shall maintain jurisdiction in this case for
5 the purpose of effectuating the terms of this Consent Judgment of
6 Forfeiture.

7
8 DATED: January 24, 2012



THE HONORABLE ANDREW J. GUILFORD
UNITED STATES DISTRICT JUDGE

CONSENT

The parties hereto consent to the above Consent Judgment of Forfeiture and waive any right of appeal.

DATED: October ___, 2011

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Chief, Criminal Division
STEVEN R. WELK
Assistant United States Attorney
Chief, Asset Forfeiture Section

/s/

FRANK D. KORTUM
Assistant United States Attorney

Attorneys for Plaintiff
UNITED STATES OF AMERICA

DATED: October ___, 2011

/s/

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Attorney for Claimant
EVERGREEN TRUST